

# **Working Together: The Cal EPA Border Affairs Unit *and* the Border Environmental Program:**

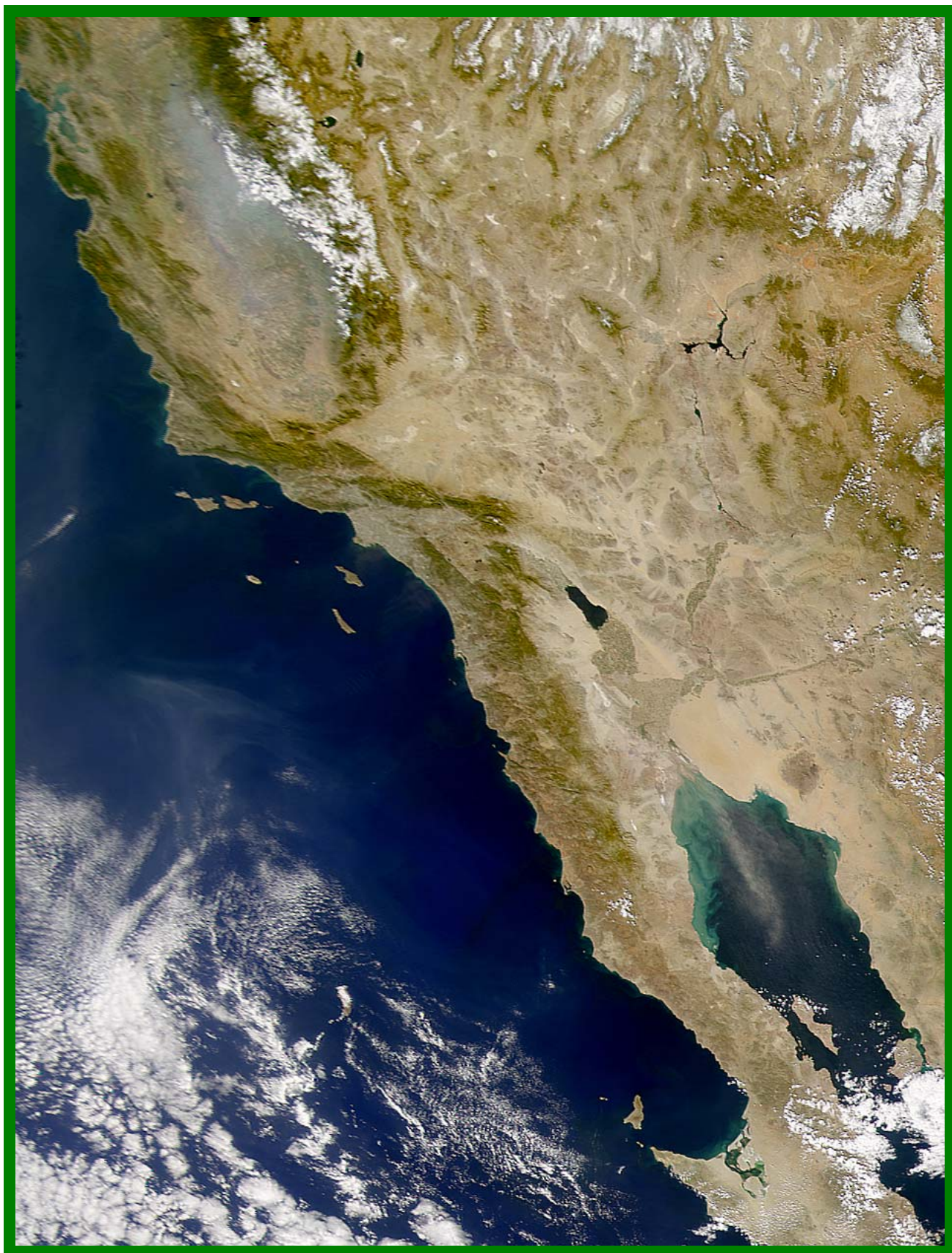
*A Synopsis of the History,  
Accomplishments, and Priorities of  
Our Program*

**July, 2002**



**Cal/EPA Border Affairs Unit**







# Working Together: The Cal/EPA Border Affairs Unit and the Border Environmental Program:

## *A Synopsis of the History, Accomplishments, and Priorities of Our Program*



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CAL/EPA BORDER AFFAIRS UNIT



Air Resources Board



Integrated Waste  
Management Board



**OEHHA**

Office of Environmental Health Hazard  
Assessment



*July, 2002*



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## **History of the Border Environmental Program**

The Boards and Departments within the California Environmental Protection Agency (Cal/EPA) have a long history of participation in environmental programs along California's shared border with Baja California, Mexico. In 1999, the efforts of the Boards and Department were expanded to include all Boards, Departments and the Office (BDOs) within Cal/EPA and to join these efforts together as the first complete multimedia program within Cal/EPA.

The first formal border program was established in 1991 by the newly founded Department of Pesticide Regulation (DPR). The Department established an Episode Response Program and developed a plan to respond to pesticide drift that occurred between the United States and Mexico. The California Air Resources Board (ARB) participated in the development and implementation of a program to install and operate an air monitoring station in Tijuana beginning in 1992. To implement the program, an interagency agreement, the forerunner of many U.S. – Mexico interagency agreements regarding the environment, was drafted between the San Diego County Air Pollution Control Board and the Instituto Tecnológico de Tijuana. ARBs border area air monitoring program was greatly expanded in 1995.

The California Integrated Waste Management Board (CIWMB) began its program with the redirection of a part-time position to solid waste cleanup and monitoring efforts at the border in 1993. In 1994, the Department of Toxic Substances Control (DTSC) received a grant from the USEPA to establish its border program. This program included efforts to inspect vehicles carrying hazardous wastes entering California from Mexico and the development of annual workshops to share knowledge and information with our counterpart agencies and industry in Mexico. The year 1994 also saw the establishment of a "Border Unit" at the State Water Resources Control Board (SWRCB), which was partly funded by a USEPA grant.

The Office of the Secretary has recognized and participated in environmental efforts along the California – Baja California border since July 2000, when the Cal/EPA Border Environmental Program (BEP) was established pursuant to provisions of the Budget Act of 1999. The consolidated BCP established one (1) position at Cal/EPA, three (3) positions at the SWRCB/RWQCBs, five (5) positions at ARB, six and one half (6.5) positions at DTSC, one (1) position at DPR, one (1) position at CIWMB, and one (1) position at the Office of Environmental Health Hazard Assessment (OEHHA).



The current Border Environmental Program (BEP) is a collaborative effort that includes representatives from the BDOs within Cal/EPA, other state agencies, Baja California, and Tribal Communities and Governments along the border. The establishment of the Border Affairs Unit (BAU) within the Office of the Secretary at Cal/EPA created a central point of contact on border issues. The BAU provides oversight and coordination, and directs our border efforts through the BEP.

*“The BEP mission is to work towards a better environment within our shared border by identifying and resolving unique environmental and natural resource challenges, and the resulting public health issues. This mission will be achieved through the use of science and technology, uniform enforcement of environmental laws and regulations, and the cooperation and active participation of the various California Border Tribal Communities and Governments, academia, industry, non-governmental organizations and the public”*

A number of principles guide the interaction between California, Baja California, and the California Border Indian Tribal Communities and Local Governments:

**Protection and Development**

Both States are committed to protecting the environment, restoring and conserving natural resources, and enhancing the economic vitality of the Border Region.

**Cooperation and Collaboration**

Both States are committed to a partnership that will work toward a common vision: Establish open communication, and share knowledge, information, science and technology, and staff resources. This partnership will be the basis for notification of trans-boundary issues.

**Integrity and Respect**

Both States are committed to truth, accuracy, and fairness, and are respectful of language, culture and economic differences.

**Continuous Improvement**

Both States are committed to continuously improve and update their efforts to maintain a clean border environment, and to incorporate technological



innovations and enhancements to the programs dedicated to the protection of the environment.

### **Leadership and Accountability**

Both States are committed to being responsible leaders in environmental protection, and in addressing border issues, and will work to establish examples that other Border States can follow.

### **Public Participation and Communication**

Both States are committed to engaging their border communities to rely on the participation of their representatives to serve the interests of the Border Region, to work together to enhance the technical capabilities and professional development of their staff, and to recognize the efforts of the community.

In accordance with these core values, the BEP has assumed the following goals:

- Protect the environment
- Restore and conserve natural resources
- Achieve and maintain a high standard of public health
- Increase sharing and use of science and technology
- Ensure uniform enforcement of environmental laws and regulations

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## **Accomplishments of the Border Program**

**I**n the last three years, California has made significant progress toward addressing long-term environmental and public health issues along the California/Mexico border, and has been a leader among U.S. Border States in promoting environmental cooperation with Mexico. Under the leadership of Governor Gray Davis, California for the first time provided the resources necessary for effective cooperation with Mexico on environmental, natural resources and public health issues and has achieved an effective cooperative relationship with Mexico, based on mutual respect and understanding. A list of accomplishments include:

- In the first year of Governor Davis' Administration, a Border Affairs Office was established at Cal/EPA to promote communication with Baja California and the



eight other U.S./Mexico Border States, and to identify opportunities to work together with Mexico for the betterment of the border region.

- The budgets of Cal/EPA and the Resources Agency were supplemented with \$2.8 million dollars annually to ensure that California is able to respond to the special needs of the border region.
- California has and is providing a wide range of technical assistance in environmental control to the State of Baja California.
- In March, 2001, California and Mexico signed three historic agreements of cooperation on environmental issues. This is the first time such agreements have been reached by a US border State and the Republic of Mexico. The subjects of the agreements concerned industrial wastewater monitoring and pretreatment along the California/Baja California border, implementation of a "Smog Check" pilot program in Tijuana, and cooperation in the protection of the Sea of Cortez ecosystem. The Secretary of Cal/EPA and the Director of the Dirección General de Ecología signed a related agreement on the promotion of sustainable development in the California/ Baja California border region in August 1999.
- Other agreements signed by Cal/EPA in 2001 include a memorandum of understanding with the Baja California Institute of Public Health to initiate a study of lead in the blood of residents of Baja California; an agreement with the San Diego Natural History Museum to promote environmental education, public programs, and research in the Border Region. An additional agreement was signed in June, 2002 to promote environmental education in the Border Region with the Secretariat of Education of Mexico (SEP) and the Secretariat of Environmental Protection and Natural Resources (SEMARNAT).
- California hosted the 23<sup>rd</sup> U.S./ Mexico Border Governors Conference in Sacramento on June 1 and 2, 2000 and hosted a meeting of the Environmental Secretaries of the 10 U.S. / Mexico border States in Monterey, California on September 27-28, 2001. Both meetings resulted in significant cross-border agreements and improved communication and cooperation between the U S and Mexico. These meetings and resulting agreements further established California as a leader in establishing a strong role for Border States in identifying and resolving border environmental issues.





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## **Achievements of Cal/EPA's Boards, Departments and Office**

### ***Air Resources Board***

- Heavy-Duty Vehicle Inspections – The Air Resources Board (ARB) has been inspecting heavy-duty vehicles at the Otay Mesa and Calexico international ports of entry since 1998, as required by SB 270 (Peace, 1998). The law requires foreign commercial vehicles operating within California to meet the State's safety and pollution standards. The ARB has also prepared Spanish language informational materials and an instructional video.
- Tijuana Smog Check Pilot Project – In coordination with the California Environmental Protection Agency, the Bureau of Automotive Repair (BAR), and the City of Tijuana, ARB participated in the development of a pilot vehicle emissions inspection program for Tijuana. Under the agreement, ARB is responsible for the a major portion of the pilot program and will develop a "train the trainer" program for the inspection of diesel powered vehicles

### ***Integrated Waste Management Board***

- The IWMB is responsible for implementing "Train-the-Trainer Program for K-12 Border Teachers". This is an on-going environmental education partnership between Cal/EPA and the Secretariat of Education for Baja California that focuses on capacity building for border teachers. Major accomplishments are as follows:
  - Three hundred and twenty Mexican teachers were trained using the K-12 integrated waste management curriculum known as *Closing the Loop*.
  - Nine lessons of a cross-media compendium containing border-specific lessons for K-9 children were developed. This curriculum as a whole consists of 17 classroom activities.
- In cooperation with the City of Los Angeles Solid Resources Collection Division and the Secretariat for Public Education of Baja California, 1,400 refuse



containers which were no longer needed by the City of Los Angeles were donated to 269 Tijuana/Mexicali, Baja California K-12 schools.

- Working with a group of professors and graduate students from the Autonomous University of Baja California, the IWMB conducted an in-depth characterization study of the El Cerro Centinela Tire Pile. This study represents an initial step in devising a bi-national abatement plan to prevent a potential tire fire that would impact both California and Baja California. The technical report associated with this project will be published by Hampton University in January of 2002.

### *Office of Environmental Health Hazard Assessment*

- OEHHA has provided advice to the Imperial County Air Pollution Control District regarding the multiple power plants that are under construction in Mexicali, less than six miles from the California border. OEHHA, along with the ARB, has represented Cal/EPA before the Imperial County/Mexicali Clean Air Stakeholders' Group, providing technical information on air pollutants and their attendant health risks.
- OEHHA assisted the ARB with the Barrio Logan Toxics Monitoring Project, beginning in October, 1999. When the Barrio Logan community became one of nine Federal Interagency Environmental Justice Demonstration Projects in March, 2001, OEHHA continued to serve as a Project participant.
- In August, 2001, OEHHA embarked on a cooperative project with the California Department of Health Services for community-based sampling of potentially lead-contaminated candies. Such candies, often made of tamarind (the majority of which are under an FDA embargo for filth) or other fruit, are very popular among the Latino populations in the border region. Two community-based organizations that represent primarily Hispanic communities, the Environmental Health Coalition (in San Diego County) and Campesinos Unidos (in Imperial County) have partnered with OEHHA and DHS to collect candies at small neighborhood markets and candy shops. To date, roughly fifty different samples have been collected from both border counties and are under analysis by the California Environmental Health Laboratory.



- OEHHA is working with the Baja California Health Department to identify and prioritize needs as a first step to developing a cooperative study of Tijuana children's exposure to lead. It is anticipated that this study will serve three purposes: 1) to establish a working relationship between our respective governmental institutions, 2) to provide additional training to ISESALUD personnel in exposure assessment, and 3) to give an indication of the extent of the problem of lead exposure among the California/Baja California border Hispanic population. The study is anticipated to occur in 2002.
- In 2001, OEHHA provided training in Lead Poisoning Prevention for the Environmental Health Coalition's lead *promotora* group (which works in both San Diego County and Tijuana) and Clinicas de Salud del Pueblo *promotoras* in Imperial County. Such lead trainings will continue in 2002, particularly in Imperial County, which only began to address lead exposures in 2001. Preparations for additional trainings scheduled for 2002 continue. A half-day training on Pesticide Illness Recognition and Treatment will be provided to Baja California physicians in Ensenada by OEHHA staff partnering with ISESALUD on January 26, 2002. A one-day toxicology and risk assessment workshop for staff of ISESALUD and the Dirección General de Ecología is planned for March, 2002. Finally, a broad group representing government, academia, and the non-profit sector from both sides of the border have come together to plan a California/Baja California Bi-state Environmental Health Border Conference, which is expected to occur later in 2002.

### *Department of Pesticide Regulation*

- DPR is responsible for the "Residue Tracking Project" whose goal is to develop procedures that accurately identify the source of produce from Mexico with residue over-tolerance levels. The project allows Mexico's Sanidad Vegetal regulatory agency to locate the source more effectively and take steps to avoid such lots in the future.
- The Pesticide Episode Response Project was originally established in response to an aerial drift incident in California. County agricultural commissioners (CACs) and representatives from DPR and Mexico will continue work to develop a system to share data on human health, investigative and sampling techniques, and pesticide exposure.





- The Coordinated Press Release Project coordinates efforts with Imperial, Los Angeles, Orange, Riverside, San Bernardino, and San Diego CACs on the transport of pesticide products from Mexico for personal use, and coordinate outreach efforts to educate the public about the hazards associated with many of these pesticide products.
- The U.S./Mexico Pesticide Information Exchange (USMPIE) program has sponsored three inspector exchanges. USMPIE is funded by grants from the U.S. Environmental Protection Agency (U.S. EPA), Regions 6 and 9, and is administered by the Texas Department of Agriculture. The goal of the program is to share information and to foster cooperation with pesticide regulators on both sides of the border. Highlights of this program include:
  - During August 2000, the first two inspectors from Mexico visited Sacramento and Yolo CACs, and then traveled to Fresno and Bakersfield for training and overview inspection experiences in the San Joaquin Valley.
  - In October 2000, two DPR Senior Pesticide Use Specialists traveled to the headquarters of Subsecretaria De Agricultura Y Ganadería Y Desarrollo Rural (SAGAR) for training regarding the functions of SAGAR and the pesticide regulations of Mexico. Their training included SAGAR inspection/verification procedures, inspections at pesticide dealers and formulators, and visits to an avocado packinghouse, processing plant, and an organic avocado grower.
  - During October 2001, USMPIE sponsored its second Mexican inspector exchange. DPR hosted two inspectors, one from each of the Mexican Departments of Labor and Health. The inspectors received an overview of DPR's program, visited CAC offices, observed pesticide applications, and visited packinghouses and pesticide applicator facilities. Other Mexican inspectors visited the states of Texas, Arizona, and New Mexico during the same month.

### *Department of Toxic Substances Control*

- In 2001, DTSC established a border office in San Diego to better address the issues confronting the border region. The office also acts as a hub for other border coordinators to conduct their work in the region.



- The DTSC Border Unit has actively participated in Border XXI activities, including Hazardous and Solid Waste Workgroup meetings, Environmental Resources Workgroup conference calls, Border XXI National Coordinators meetings, Border Environmental Task Force and the Enforcement Group meetings.
- As part of the outreach commitments for both the RCRA Grant activities for Fiscal Year 2001/2002 and the Cal/EPA Border Program Strategic Plan, there have been a series of meetings with U. S. EPA, Cal/EPA, DTSC and the County of San Diego (County) throughout the year to provide hazardous waste management training courses in Baja California.
- DTSC has an ongoing program to monitor and inspect shipments of hazardous waste to and from Mexico and to cite and prosecute transporters violating California and federal hazardous waste transportation laws.

#### *State Water Resources Control Board / Regional Water Quality Control Boards*

- SWRCB has represented Cal/EPA on the Salton Sea Science Advisory Committee and coordinated and facilitated participation by Cal/EPA Boards, Departments and Offices in Salton Sea Restoration Program activities. The committee has provided guidance to major environmental documents and engineering evaluations related to the IID/San Diego County Water Authority Water Transfer, restoration of the Colorado River Delta, and a revised Salton Sea Restoration Program.
- The SWRCB/RWQCB have worked closely with the State of Baja California to address our joint goal of developing a coordinated regional program for the monitoring, pretreatment and minimization of industrial wastewaters in the border region. SWQCB has established a strong environmental technical assistance program in response to requests from the State of Baja California. Representatives of the States of California and Baja California have worked with the City of San Diego to develop a model industrial wastewater-monitoring program in Tijuana, and recently obtained funds to extend the program to Tecate. Both States, working with Sacramento State University, have developed written and video worker training materials for use by domestic wastewater and industrial wastewater workers in the State of Baja California and



throughout Mexico. The Tecate Industrial Waste Monitoring and Pretreatment Technical Assistance Program is currently being implemented.

- SWRCB and Cal/EPA have worked closely with Federal, State and local government agencies along the California /Baja California border to identify and promote the implementation of over 100 million dollars of wastewater infrastructure projects. These projects will provide water quality and public health protection for hundreds of thousands of border citizens
- SWRCB is also providing technical assistance to the State of Baja California Sur regarding environmental infrastructure problems.

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## **Cal/EPA Border Affairs Unit**

The Border Affairs Unit of Cal/EPA directs the Border Environmental Program in the California – Baja California, Mexico Border Region. The vision of the program is promote a standard of excellence for international cooperation and collaboration that focuses on resolving environmental and natural resource issues to help ensure the future quality of a cleaner, safer, healthier, and more prosperous Border Region. To that end, Cal/EPA and its BDO's have been working to address cross media and bi-national issues. In the past six months Cal/EPA Border Affairs Unit achieved the following:

**Transfer of Surplus Computers Pursuant to the California – Mexico Environmental Protection Act of 2002 (AB 2317):** Cal/EPA located approximately 60 personal computers and related accessories that were being surveyed by California State agencies that could be used for scientific purposes in the Baja California Border Region. In March and April, 2001, these computers were transferred to the City of Tijuana Department of Ecology, the Baja California Secretariat for Ecology, and the Mexican Federal Attorney's Office for the Protection of the Environment (PROFEPA). These computers are being used to monitor and track environmental compliance, and issues related to water, soil, and air contamination.

**Signing of Environmental Education Agreement:** Cal/EPA led the development of an Environmental Education Agreement that was signed between Cal/EPA, the Mexican Federal Secretariat of the Environment and





Natural Resources (SEMARNAT) and Secretariat of Education (SEP), California Secretary for Education, the Baja California Secretariat for Ecology and State Education System, and the California Integrated Waste Management Board. The purpose of the agreement is to engage in a cooperative effort to share resources and information and to develop a binational environmental education curriculum that will be taught to elementary students in the Border Region. It is anticipated that this agreement will result in a program that will be the predecessor of a similar program to be developed in other areas of Mexico.

### **Implementation of the Pretreatment and Wastewater Monitoring**

**Agreement Program:** Cal/EPA is currently implementing the agreement that was signed by the State of California and government entities of Mexico in March, 2001. The first phase of the project, the development of a report entitled "California / Baja California Industrial Wastewater Monitoring, Pretreatment and Minimization Program: Needs Assessment" was completed during the first half of 2002. The report identifies a strategy for coordinating the participation of U.S. and Mexican municipal, State, and federal government organizations for the development of a wastewater monitoring, pretreatment, and technical assistance program; a survey of industrial dischargers, pollutants discharged, and receiving waters in the Mexicali, Tecate, and Tijuana municipalities of Baja California; industrial wastewater worker needs and opportunities, and; resources needed to monitor and analyze industrial wastewater.

### **Environmental Technology and Service Opportunities Conference:**

Cal/EPA sponsored a forum and trade exhibit to introduce environmental technology vendors to the opportunities available for their products in Baja California. The Tijuana conference allowed participants to discuss the need for environmental technologies and the regulatory environment in Northern Mexico. Participants were also allowed to view products and participate in a tour of environmental sites between Tijuana and Mexicali.

### **Agreement of Cooperation Between the State of Baja California, Mexico and the State of California, United States of America to Carry Out a Pilot-Scale Vehicle Emissions Inspection Program for the City of Tijuana:**

Approximately 60% of the milestones for this program were completed between January and June of 2002. These milestones include the negotiation and development of an implementation strategy and timetable with the City



of Tijuana and the collection of surplus vehicle emission monitoring equipment that could be donated or loaned and installed at City of Tijuana car shops. Additionally, the translation of training manuals relating to the program from English to Spanish was completed, and technicians from Tijuana have been trained on the proper operation and maintenance of the vehicle emission monitoring equipment.

**Assistance to Tijuana for the Siting of Municipal Wastewater Treatment Plants and a Replacement Landfill:** Cal/EPA has coordinated the technical assistance to the City of Tijuana necessary to properly site new wastewater treatment plants and the replacement for their aging landfill.

*Priorities for the Second Half of 2002:*

**Ten States Retreat:** Cal/EPA will be providing coordinating support to the State of Chihuahua for the annual Ten States Retreat to be held in September or October of 2002. Representatives responsible for environmental quality and environmental protection for the States of Arizona, Baja California, California, Chihuahua, Coahuilla, New Mexico, Nuevo Leon, Sonora, Tamaulipas, and Texas will attend this meeting, as well as PROFEPA Secretary Victor Lichtinger and USEPA Administrator Christine Todd Whitman..

**Clandestine Drug Laboratory Cleanup Memorandum of Understanding:** Illegal clandestine drug laboratories have become widespread in Northern Baja California. The increased number of laboratories in Baja California is believed to be as a result of increased surveillance and enforcement of these types of laboratories in California by the California Department of Justice, Bureau of Narcotics Enforcement and their related Task Forces. The Baja California environmental and first responder authorities are in need of training and technical assistance from their more experienced California counterparts. Thus, Cal/EPA is spearheading an effort to sign a memorandum of understanding between California and Mexican agencies that will provide for the sharing of information and technical assistance to combat this problem.

**Implementation of the Pretreatment and Wastewater Monitoring Agreement Program:** During the second half of 2002, additional



implementation of this agreement will occur. It is anticipated that the current program will be completed by July 1, 2003. During the remainder of 2002, a program to sample and analyze for specified industrial chemicals in industrial wastewater will commence in at four sites in Ensenada and at three sites in Mexicali. These results obtained from this sampling will be compared to other results available for the designated sampling areas to develop a composite profile of the hazards present in the industrial wastewater. Regulators from Mexico will accompany the samplers during the sampling events as a method to receive training on standardized sampling techniques.

**Agreement of Cooperation Between the State of Baja California, Mexico and the State of California, United States of America to Carry Out a Pilot-Scale Vehicle Emissions Inspection Program for the City of Tijuana:** It is anticipated that the emissions monitoring equipment will be installed and operational before the end of 2002.

**Implementation of Advisory Groups:** The second half of 2002 will see the first meetings of two Cal/EPA BDO advisory groups whose mission will be to set policy, priorities and monitor tasks of the Border Environmental Programs within each BDO.

**Joint California – Baja California Strategic Vision:** A strategic vision that will coordinate the environmental programs of California and Baja California State and Local agencies in the Border Region will be completed.

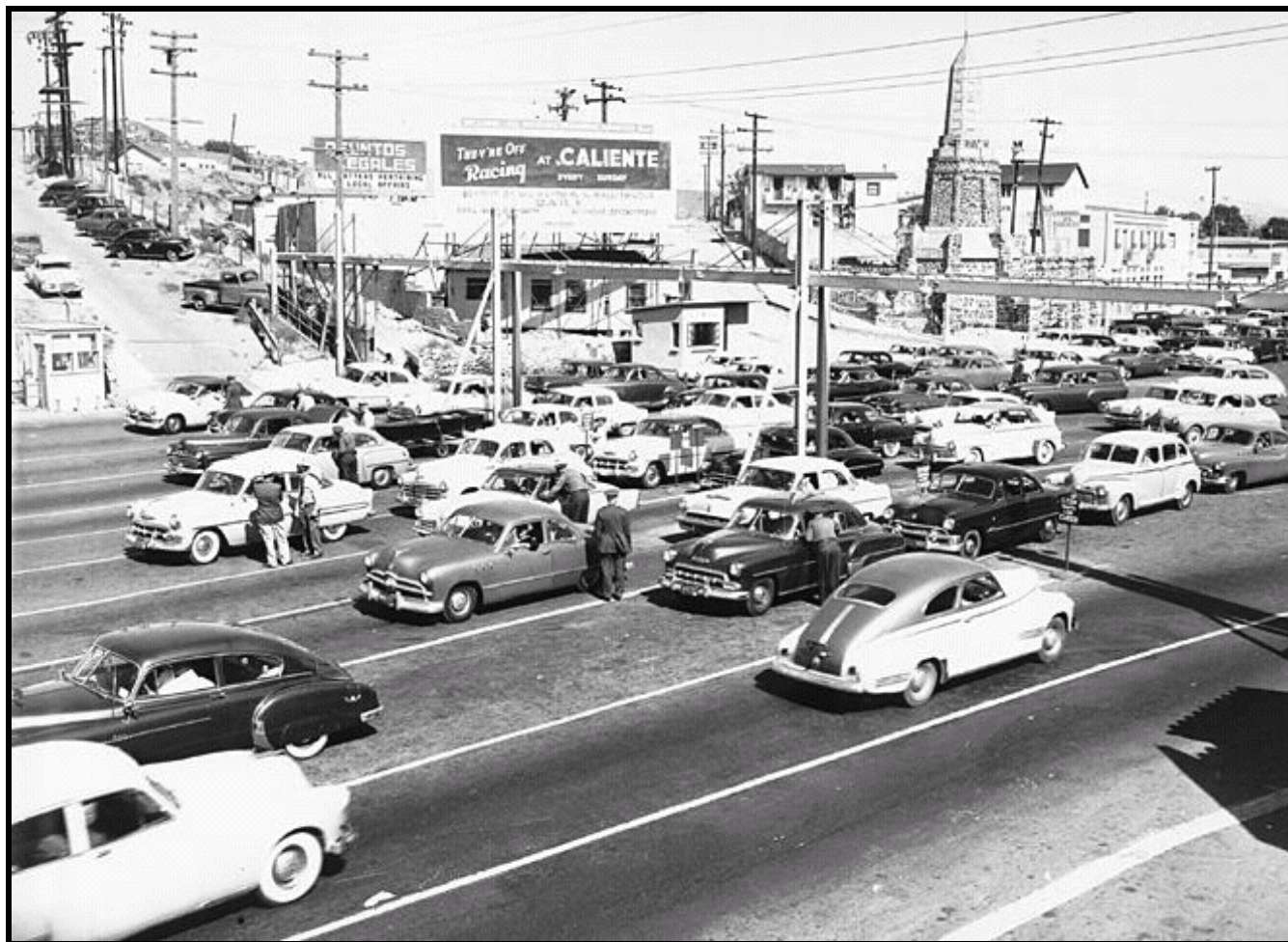
**Environmental Management System (EMS):** Cal/EPA is managing a grant from the USEPA to implement an EMS at 3-4 small to medium sized businesses in the Border Region. The purpose of this program is to determine if EMS can be used as a tool to prevent the spread of contamination across the Border. During the remainder of 2002, data will be gathered to identify contamination and businesses that will be the focus of the program.

**Next Phase of the US-Mexico Binational Border Environmental Plan (formerly known as Border XXI):** Cal/EPA will actively participate in developing the next





phase of the binational border environmental plan, along with the nine other US-Mexico border states. It is anticipated the plan will be finalized by August 2002 and a work plan being implemented in Fall of 2002.



**Tijuana Border Crossing – Early 1950's**



Tijuana Border Crossing – 2001